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July 18, 2006

Ms. Constance C. Holland, AICP
The Delaware Office of State Planning Coordination
540 S. DuPont Hwy
Thomas Collins Building, Third Floor
Dover, DE 19901

RE: PLUS Review Comment Response
PLUS 2005-05-08; Solitude on Whites Creek

Dear Ms. Holland,

The proposed plans for the above referenced project were reviewed by the State agency planners on June 8, 2005. The comments generated by these agencies, summarized in the letter to Meridian Architects and Engineers dated June 29, 2005, have been incorporated into the revised "Preliminary Subdivision Plat for Solitude on Whites Creek" as specified below.

Executive Summary

State Strategies/Project Location

The proposed project is located in an Investment Level 2 area according to the *State Strategies for State Policies and Spending*. It is located in a Medium Residential (MR) area according to Sussex County Zoning and an Environmentally Sensitive Developing Area according to the Sussex County. The project is proposed at a density of 3.49 DU/acre which is less than the allowable density of 4.0 DU/acre for this zoning.

Streets and Roadways

- A 5' wide strip of additional right-of-way has been dedicated along the frontage of Clubhouse Road.
- A 15-foot wide permanent easement and a paved multi-modal path have been added to the plan.
- The street system in the proposed development is to be privately owned as is the street system in Banks Harbor. They are not DelDOT roads. An interconnection of the street system between the proposed subdivision and Banks Harbor Retreat would require legal approval from the Banks

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- There are no lots proposed in the 100-year floodplain.
- All lots have been removed from the entrance road and relocated to minimize the impact on the forested area. With the exception of the entrance road, all forested areas on the site are to be left intact.

Office of State Planning Coordination

The layout of the subdivision had been redesigned to preserve natural resources and incorporate open space as part of the community (centrally located versus disconnected).

State Historic Preservation Office (SHPO)

No known historic sites within the parcels per the State Historic Preservation Office.

Department of Transportation

- As referenced above a note has been added to the plat and will be recorded with the subdivision (if approved) stating that no further development will be proposed on this subject land.
- 10' additional right-of-way has been dedicated on both sides of SCR 64 (Whitesville Road) providing for an ultimate right-of-way of 80' which is what is required by DelDOT for a *Collector* road.
- A 15-foot wide permanent easement has been added to the plan for a future multi-modal path.
- 50' wide easements have been added to the plan for possible future stub streets to the adjacent parcels requested by DelDOT (Harrington, Melvin, Smith and Scheller lands)
- A walking/bike path has been added to provide bicycle and pedestrian access to Brittingham Road.

Department of Natural Resources and Environmental Control **Wetlands**

The wetlands shown on the plan represent a delineation performed by a certified wetlands scientist from Atlantic Resource Management.

As referenced above, a 50-foot wetland buffer has been added to the plan. Additionally, it is proposed to leave the natural forested buffer area intact along the majority of the wetlands thus protecting the sensitive headwater riparian wetlands.

All efforts to maintain a minimum 50-foot isolation distance from the stormwater ponds will be made during the design phase of the stormwater should the subdivision obtain preliminary approval.

ERES Waters

A "pollution control strategy" to reduce non-point sources of nutrient runoff through implementation of Best Management Practices (BMP) will be developed during the design phase of this project should it receive preliminary subdivision approval.

TMDL's

A nutrient budget will be prepared to verify compliance with the TMDL mandate upon completion of the stormwater management design that is to be developed during the design phase of this project should it receive preliminary subdivision approval.

Water Supply

Water for this development will be supplied and managed by Artesian. Please see attached Willing and Able to serve letter.

Sediment and Erosion Control/Stormwater Management

All comments from the Sussex Conservation District to be addressed during the design and review phase of the project should it receive preliminary subdivision approval.

Floodplains

There are no lots within the 100-year floodplain.

Potential Hunting Issue

There are no lots within a minimum of 50 feet of all property lines which will reduce the hunting impact on the adjacent landowners.

Nuisance Waterfowl

Meridian will suggest that the developer coordinate with the appropriate expert regarding landscaping and other methods to reduce the geese problem.

Forests

As referenced above, all lots have been removed from the entrance road and relocated to minimize the impact on the forested area. With the exception of the entrance road, all forested areas on the site are to be left intact.

Solid Waste

It is estimated that the development will produce 2,140,000 pounds of solid waste from the construction and occupancy of 214 homes in addition to 770,400 pounds of solid waste per year.

Air Quality

The 30-foot wide forested buffer strip in addition to conservation of the wooded areas of the site will improve air quality by removing carbon dioxide from the air. A properly designed forested buffer strip (detail shown on Preliminary Subdivision Plat) can remove six to eight tons of carbon dioxide annually per the Dept. of Ag. Forest Service.

State Fire Marshal

All comments generated from the State Fire Marshal's office will be addressed as part of the design and review phase of this project should the subdivision receive preliminary approval.

Department of Agriculture

The Department of Agriculture Forest Service recommended conservation of the forested areas present on the site as well as a forested buffer. This was accomplished in all areas of the site with the exception of the entrance road which cannot be avoided.

Public Service Commission

The central community water system and the central community wastewater system are to be provided by Artesian Water Supply. Please see attached Willing and Able to Serve letter from Artesian. Artesian is a Public Service Commission approved service supplier.

Delaware State Housing Authority

The project is proposed at a density of 1.33 DU/acre. According to Sussex County current zoning regulations, a parcel zoned AR-1 has an allowable density of 2.0 DU/acre. This project is being proposed in accordance with the general planning practices as outlined in the Sussex County Code.

Delaware Emergency Management Agency

As proposed, this project meets the general guidelines for fire protection, regarding accessibility, as outlined in the Delaware State Fire Prevention Regulations. Should this project be approved as a preliminary, the water system and subdivision layout will be designed in accordance with the Delaware State Fire Prevention Regulations and reviewed for compliance by the Delaware State Fire Marshal's Office.

Department of Education

A covered bus stop will be provided for pick-up and drop-off at the development entrance per the Department of Education's guidelines for school transportation planning.

Sussex County

The project has been revised to incorporate active and passive open spaces centrally located within the development. A letter is being provided to Sussex County (attached) documenting how the proposed development, as a cluster, is superior to what would be allowed under the standard lot option and how it will not have an adverse effect on any of the items included under Ordinance 1152 (County Code 99-9C).

Sewer plans for the community wastewater system will be submitted to the Sussex County Engineering Department as a part of the design and review phase of this project should the subdivision receive preliminary approval.

Any well location will be such that the wellhead protection area is located entirely on-site.

A copy of the revised Preliminary Subdivision Plat has been attached with this letter. If you have any questions please do not hesitate to contact me at your convenience.

Sincerely,



John R. Barwick

cc. Lawrence Lank, Sussex County Planning and Zoning

Enclosures